

January 3, 2006

The Shelby County Board of Supervisors met in an organizational session at 9:00 A.M. in the Supervisors Chambers in the Courthouse with the following members present: Roger Schmitz, Richard D. Ferry, LaVon Christensen, and Marsha J. Carter, Clerk.

It was moved by Ferry, seconded by Christensen, to approve Roger Schmitz as Chairman of the Board of Supervisors for the 2006 calendar year. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, to approve Richard Ferry as Vice-Chairman of the Board of Supervisors for the 2006 calendar year. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, to approve the agenda with the following additions: (1) HAVA Funds for Voting Equipment, (2) Down Payment Assistance Program – Mortgage Releases, (3) Approve designated contacts and authorized representatives for IMAC, and (4) Continuity of Government contacts. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, to approve the minutes of December 13 and 20, 2005. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, that the following resolution be adopted:

RESOLUTION NO. 2006-1
A RESOLUTION APPOINTING DEPUTY COUNTY OFFICIALS
FOR THE 2006 CALENDAR YEAR

BE IT RESOLVED, that the following persons shall be appointed deputies for the following offices as recommended by the elected officials according to Chapter 331.903, Code of Iowa:

Marcus Gross, Jr., County Attorney	Susan Larson Christensen, Asst. County Attorney Judson Frisk, Assistant County Attorney
Linda Fahn, County Recorder	Linda Stroeher, Deputy Recorder
Gene Cavanaugh, County Sheriff	Mark A. Hervey, Chief Deputy Sheriff John A. Kelly, Deputy Sheriff Robin L. Ambrose, Deputy Sheriff Chad Butler, Deputy Sheriff Blair Paulsen, Deputy Sheriff

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Schmitz, to appoint Bryce Schaben as Weed Commissioner for 2006. Motion carried unanimously.

The Board of Supervisors shall meet as required by Chapter 331.213, Code of Iowa, and shall hold their first meeting of each year on the first day in January, which is not a Saturday, Sunday or holiday and shall hold all subsequent meetings of the year as scheduled by the Board. All meetings of the Board shall be scheduled and conducted in compliance with Chapter 21.

All claims filed by Wednesday, before the third Tuesday of each month in the Auditor's office will be approved for payment by the Board of Supervisors on the third Tuesday of each month.

It was moved by Christensen, seconded by Ferry, to approve the appointment of Scott Markham as County Medical Examiner and to accept the proposal of the physicians of Shelby County that the doctor on call will act in the Medical Examiner's absence. Motion carried unanimously.

It was moved by Ferry, seconded by Christensen, to approve the appointment of the following persons as members of the Compensation Board for the Condemnation of Private Property for Shelby County for 2006, as required by Chapter 472.4, Code of Iowa:

FARM OWNER - OPERATORS

Walter Staiert
Elk Horn, Iowa

Don Schomers
Earling, Iowa

Doug Robinson
Shelby, Iowa

David Boettger
Harlan, Iowa

Donald Leinen
Portsmouth, Iowa

Dave Wahling
Shelby, Iowa

Charles Wooster, Jr.
Manilla, Iowa

CITY PROPERTY OWNERS

Kayla Jacobs
Harlan, Iowa

Maurice Knudsen
Elk Horn, Iowa

Paul Leinen
Harlan, Iowa

Michael Cain
Harlan, Iowa

Todd Langenfeld
Earling, Iowa

Richard Leinen
Portsmouth, Iowa

Donald Holdsworth
Irwin, Iowa

REAL ESTATE BROKERS

Kirk Petersen
Harlan, Iowa

Terry Knapp
Harlan, Iowa

Ben Plumb
Harlan, Iowa

Rowland Burton
Irwin, Iowa

Randy Ouren
Harlan, Iowa

Jan Arkfeld
Defiance, Iowa

Dave Robinson
Shelby, Iowa

PERSONS HAVING KNOWLEDGE OF
PROPERTY VALUES IN SHELBY COUNTY

Mark Langenfeld
Earling, Iowa

Norman Mathiasen
Harlan, Iowa

Lamont Christensen
Elk Horn, Iowa

Jerry Lapke
Harlan, Iowa

Tim Meyers
Harlan, Iowa

John Wells
Defiance, Iowa

Terry Bails
Harlan, Iowa

It was moved by Christensen, seconded by Ferry, to approve the Harlan Tribune or the Harlan News Advertiser and the Danish Villages Voice as official newspapers for 2006, as defined in Chapter 618.3 and Chapter 349, Code of Iowa. The Board set the limit on notices to three columns wide and seven inches long. Anything over that size will not be approved for payment. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, that the County Auditor be authorized to draw warrants for salaries of county officers, their deputies and clerks; courthouse custodians; and all secondary road employees. The auditor is also authorized to pay the telephone, utilities, freight, United Parcel, deferred compensation claims and the expenses of transporting person(s) to state institutions. The Board authorized the County Auditor to issue warrants for County Conservation Commission, County Assessor, Shelby County Solid Waste Agency, Shelby County Veteran Affairs Commission, Shelby County Board of Health, Shelby County Community Services, and Shelby County Emergency Management Agency. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, that the following resolution be adopted:

RESOLUTION NO. 2006-2
RESOLUTION CONCERNING NON-DISCRIMINATION IN EMPLOYMENT

WHEREAS, Shelby County has in the past tried to conform to all federal rules and regulations pertaining to equal employment opportunities, and

WHEREAS, the County of Shelby wishes to continue to comply with all federal rules and regulations for equal employment opportunities,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Shelby County, Iowa, that Shelby County will make every effort possible to comply with all federal laws and regulations in existence and future laws which may come about pertaining to equal employment opportunities.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, that the following days shall constitute paid holidays for all eligible employees as stated herein for the 2005 year. Motion carried unanimously.

January 2, New Year's Day	November 10, Veterans Day
February 20, President's Day	November 23, Thanksgiving Day
May 29, Memorial Day	November 24, Friday after Thanksgiving Day
July 4, Independence Day	December 25, Christmas Day
September 4, Labor Day	

The Board also established the following policy: If a holiday falls on Saturday, the preceding Friday will be a paid holiday; when a holiday falls on Sunday, the following Monday will be a paid holiday. This policy is in effect for all holidays mentioned except Christmas Eve afternoon.

It was moved by Ferry, seconded by Christensen, that the following resolution be adopted:

RESOLUTION NO. 2006-3
RESOLUTION FOR COUNTY ENGINEER TO EXECUTE CERTIFICATION OF
COMPLETED WORK

BE IT RESOLVED, by the Board of Supervisors of Shelby County, Iowa, that Daniel Ahart, the County Engineer of Shelby County, Iowa, be and is hereby designated, authorized and empowered on behalf of the Board of Supervisors of said County to execute the certification of completion of work and final acceptance thereof in accordance with plans and specifications therefore in connection with all Farm to Market construction projects in this county.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Christensen, seconded by Ferry, that The Agency, Harlan, IA, be the broker for bonding for Shelby County for 2006. Motion carried unanimously.

APPOINTMENTS AND RE-APPOINTMENTS:

The following appointment and re-appointments were made by the Chairman:

Harrison/Monona/Shelby Empowerment Area – Marsha J. Carter
Shelby-Harrison-Monona Planning Council &
28E Mental Health Coordinator Board - Ferry
Fourth Judicial District Department of
Correctional Services Board of Directors – Schmitz
Juvenile Emergency Service Committee - Schmitz
Emergency Management Agency Commission – Christensen
E911 Joint Service Board – Christensen
Southwest Iowa Planning Council to the Midlands &
Southwest Iowa Transit Authority Commission – Christensen

Planning & Zoning Commission – Norman Scott & Betty Markham
Rural District Zoning Board of Adjustment – Walt Staiert, Jr.
Solid Waste Agency Board - Schmitz
Shelby County Ambulance Commission – Schmitz
West Central Development Board – Ferry
Shelby County DevelopSource – Schmitz
Enterprise Zone Commission - Schmitz
WESCO - Ferry
Board of Health – Ferry
R C & D Board - Christensen
Hungry Canyons Alliance - Christensen
Workforce Development – Region 13 - Schmitz
Metropolitan Area Planning Association - Christensen
Loess Hills Development & Conservation Authority – John Wendt & Jerry Henscheid
Conservation Board - Ferry

It was moved by Christensen, seconded by Ferry, to authorize the Chairman or the Vice-Chairman to sign any documents related to farms belonging to the County and documents relating to any farm programs the County will be eligible for in the future. Motion carried unanimously.

It was moved by Christensen, seconded by Ferry, to approve the following resolution:

RESOLUTION NO. 2006-4
ECONOMIC DEVELOPMENT
PUBLIC PURPOSE STATEMENT

BE IT RESOLVED by the Shelby County Board of Supervisors that the funding of Shelby County DevelopSource and Shelby County Area Wide Chamber and any other economic development project deemed appropriate by the Board is an economic development project as defined in Iowa Code Section 15A.1 and that this expenditure would further a public purpose, that public purpose to be an expansion or retention of jobs in Shelby County with a target of adding 250 jobs over the next fiscal year.

AYES: Schmitz, Ferry, Christensen NAYES: None

It was moved by Ferry, seconded by Christensen, to approve the following transfers: General Basic to Conservation - \$50,000; Secondary Road to Rural Supplemental - \$5,750.99. Motion carried.

It was moved by Ferry, seconded by Christensen, to authorize the Chairman to sign the GIS Coordinator Employment Contract with Jerry Lawson for FY2007. Motion carried.

It was moved by Christensen, seconded by Ferry, to authorize the Chairman to sign the Technology Services Agreement with Heartland Technology Solutions for FY2007. Motion carried.

A discussion was held on Shelby County Ordinance No. 2001-5 – Fire Service Uniform Billing Ordinance. Numerous township trustees and interested parties were in attendance. Supervisor Ferry stated that billings were not being implemented as proposed at the public hearings and that the township trustees were not informed. He would like to see the Ordinance repealed. After much discussion, Carter volunteered to invite the township officials to discuss this matter at their annual budget meeting in early February. No action was taken.

Bob Seivert, EMA Coordinator, appeared before the Board to present the FY2007 Budget request.

It was moved by Christensen, seconded by Ferry, to appoint Roger Schmitz, Marsha Carter, and Dan Ahart as the authorized representatives and Bob Seivert, Mike Jensen, and Dan Ahart as the designated contacts for the Iowa Mutual Aid Assistance Compact. Motion carried.

It was moved by Ferry, seconded by Christensen, to approve the Continuity of Government – Order of Succession listing and place on file in the Auditor’s Office. Motion carried.

Joel Dirks, West Central, appeared before the Board to present their FY2007 Budget request. It was moved by Ferry, seconded by Schmitz, to approve funding for FY2007 in the amount of \$2,000. Motion carried.

Delores Stessman, Chair of the Shelby County Library Association, and representatives of the Harlan, Irwin, and Elk Horn Libraries appeared before the Board to present their FY2007 Budget request. It was moved by Schmitz, seconded by Christensen, to approve funding for FY2007 in the amount of \$35,000 for the Shelby County Library Association. Motion carried.

Carter reported that the Federal HAVA funding check in the amount of \$99,740 for voting equipment had been received.

It was moved by Christensen, seconded by Ferry, to authorize the Chairman to sign the Mortgage Releases for Down Payment Assistance Program Projects No. 00-HM-104-1, 3, 4, 5, 6, 7, 10, 11, 13, 14, 17, 18, 19, 21, 22, and 24. Motion carried.

The County Engineer gave the secondary road project update.

There being no further business appearing, the Chairman declared the meeting adjourned at 11:18 a.m.

Roger Schmitz, Chairman

ATTEST:

Marsha J. Carter
Clerk to the Board of Supervisors

NOTE: These minutes are as recorded by the Clerk to the Board of Supervisors and are subject to Board approval at the next regular meeting.